

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 577 – SB 1244

February 28, 2017

SUMMARY OF ORIGINAL BILL: Requires a juvenile court to inform a child at the time of adjudication of the need to petition for expunction of the child's record. Requires the Administrative Office of the Courts to create a petition that can be completed by a child and circulate the petition to all juvenile court clerks. Requires a juvenile court clerk to send a postcard to the child's last known address on the child's 17th birthday informing the child of the right to expunction.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures – \$95,000/One-Time*
\$3,828,400/Recurring*

SUMMARY OF AMENDMENT (004196): Deletes and rewrites the bill to delete the requirement that a juvenile court clerk mail a postcard on a juvenile's 17th birthday informing the child of the right to expunction, and to change the procedure to file a motion for expungement, rather than a petition, with the court.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Tennessee Code Annotated § 37-1-153(f) authorizes juveniles to petition a juvenile court to expunge the juvenile's record. The proposed legislation sets forth new requirements relative to expunging juvenile records by changing to a motion practice.
- Juveniles can petition a juvenile court under current law to have the juvenile's record expunged. Changing the procedure to a motion practice will not significantly impact the operations of juvenile courts.
- The proposed legislation will require the Administrative Office of the Courts to develop a motion capable of being completed by a minor. It is assumed that the Administrative Office of the Courts can create the motion within existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm